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*The CASE of several of the Persons
from whom Lieutenant Colonel Char-
teris extorted Money for protecting
them from their Creditors,*

Humbly sheweth,

FIRST, That in or about the Month of *March*, 1709. the said Colonel *Charteris* sent for one *Hurly* (a Person whom he protected from Considerable Debts) and told him, That his Company in the Guards cost him Three Thousand Guineas, and that if *Hurly* did not give him Five Guineas, and an effective Man to serve in the Company, he would protect him no longer: And that he expected the like from every Man that he protected.

That *Hurly* for Fear of being left to his Creditors, did then give the said Col. *Charteris* Five Guineas, and soon after a good Man gratis. Upon which the Col. promised upon his Honour, that *Hurly*, according to the Contract made at Listing, should have a Discharge whenever he pleas'd, be exempted from all Duty, except on Muster-Days; and withal, that he should be protected from all his Creditors: For that he wou'd appear for him before a Judge, and claim him as an effective Soldier, if there were Occasion, and that *Hurly* should be at no further Charge. Yet soon after the Colonel sent for *Hurly* again, and told him, He must pay Two Shillings and Sixpence every Fortnight, to be excused from Duty; which *Hurly* was likewise forced to comply with.

That on the First Day of *July*, 1710. (Col. *Charteris* being then in *Scotland*) *Hurly* was taken up by some of his Creditors, who Six Days after the Arrest, obtained a Note under Major General *Tatton's* Hand, discharging *Hurly*, and certifying, that he was not a Soldier in the Regiment. Upon which *Hurly* was detain'd by his Creditors, till Col. *Charteris* came to Town.

That *Hurly* then sent to him, and pray'd him to perform the repeated Promises he made him on his Honour, as aforesaid; which he absolutely refused to do, unless *Hurly* would give him Fifty Pounds more.

That *Hurly* not being then able to raise that Sum, offer'd to give him a Note to pay it him in a Month's Time, which at length with much Importunity was accepted of.

That the Colonel not thinking the first Note, which *Hurly* sent him by his Serjeant *Thomas Cook* for the said Fifty Pounds, to be well or firmly worded, would not appear for *Hurly*, till he had sent him a Second Note in more ample Form.

That notwithstanding the said Discharge given by Major General *Tatton*, as aforesaid, Col. *Charteris*, who was greedy for the said Fifty Pounds, appear'd in Person on the 22d of *September* following; and in Opposition to what the General had signed on the 7th Day of *July* before, made Oath before the Lord Chief Justice *Parker*, That *Hurly* was an Effective Soldier, and did Duty as often as any Man in the Company; tho' in Truth he never did one Hour's Duty, other than to appear sometimes on a Muster-Day.

How.

However the Colonel swore to it, and thereupon *Hurly* was discharged. But the very Minute he was out of his Creditors Hands, Serjeant *Cook* hurry'd him away, and committed him to the *Savoy*, where the Colonel ordered he should be kept a close Prisoner, till he had given better Security than his own Note, for the Payment of the said Fifty Pounds; which he was forced to do, by lodging a Mortgage of Four Hundred Pounds in *Murphy* the Marshal's Hands, for the Colonel's Use: Which Mortgage *Murphy* delivered in at the Committee.

That *Hurly* being then at Liberty, and the Collonel being inform'd that he was resolv'd to quit the Company, and prefer a Bill in Equity against him for the said Fifty Pound Note; and for the Mortgage, gave private Orders to commit *Hurly* again, as his Soldier, to the *Savoy*, in Order to prevent Complaints, by selling him to an Officer then recruiting for the *West-Indies*, who was to give the Colonel a Bond of One Hundred Pounds, not to let *Hurly* land any where till they arrived there; nor to be allowed Pen, Ink, or Paper in the mean time.

That the Colonel being disappointed in the Execution of that Design, and finding that *Hurly* intended to petition the House of Commons, order'd him to be put into the *Gazette* for a Deserter, in Hopes that that would frighten him into a Compliance, or at least to deter him from his prosecuting the Colonel.

Whereupon *Hurly*, jointly with one *Bamford*, laid the Matter before the said House, and produced Witnesses to prove, that the Colonel was guilty of many Frauds and Abuses in the Payment of his Company; that he received several Bribes for protecting Tradesmen, and others from their Creditors; and that he constantly mustered and received Pay for Seventy Men, tho' his own Serjeants proved he never had, nor paid, more than Thirty Eight Effectives in his Company.

But before *Hurly* appear'd to the Committee, or that any Witnesses were examined, the Colonel, conscious of his own Guilt, and finding that a Committee was appointed to enquire into False Musters, &c. sent *Hurly* a Proposal, that he would lodge a Thousand Pounds for his Use, in a Third Persons Hands, on Condition that he would desist from his intended Prosecution: Which *Hurly* utterly rejected.

To confirm this Proposal, the very first Night the Committee sat, Col. *Charteris*, at the Speaker's Chamber Door, offer'd *Hurly*, in the Presence of one Mr. *Theedam* an Attorney at Law, that he would pay all his Debts, and make him very easy in his Circumstances, provided he would say nothing to his Prejudice before that Honourable Committee. The Truth of this Instance is humbly referred to Sir *Roger Mostyn*, Bart. Chairman of the said Committee.

That when Col. *Charteris* found Bribes would not take off *Hurly*, he had Recourse to Bullying and Threatning, but with as little Success.

George Kemble was first produced to the Committee by *Hurly*, against Col. *Charteris*; who there declared, That the Col. desired him to find out any Tradesman, or House-keeper, who were under Circumstances of Debt, and that he would protect them: That he saw the Fifty Pound Note, which *Hurly* gave for the Colonel's Use; and heard Serjeant *Cook* say, The Colonel threatned to sell *Hurly* to an Officer, then Recruiting for the *West-Indies*. But the said *Kemble* some few Days after turned to be one of the Colonel's chief Advisers, and was twice produced by him as an Evidence against *Hurly*; which sudden Change ought to render his Testimony in the Colonel's Favour the more suspicious. Several other Witnesses were taken off, by the Power of the Colonel's Guineas. For it
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has been proved, that he had divers Meetings with some of his Fagots, and others, at the Nagg's-Head in the *Hay-Market*, and elsewhere, for that Purpose. That he gave Serjeant *Pitman* Ten Guineas, to give each of his Corporals a Guinea and Half, and to drink with the Fagots, to persuade them to say, They were well used by the Colonel; that they did their Duty, and received their Pay constantly. Yet soon after he beat and abus'd the said Serjeant *Pitman*, for having declared to the Committee, That the Colonel never paid more than Thirty Eight Men, tho' the Queen duly allow'd and paid him for Seventy.

Serjeant *Tho. Cook* quitted the Colonel's Company in *January* last, and obtained a Lieutenant's Commission. He was on Board at *Deal* going to his Post, when this Committee first sat: But at the Colonel's Instance came back without Leave; for which he was taken up for a Deserter by General *Withers's* Order: The Colonel by his Interest got him off. Then *Cook* gave up his Lieutenant's Commission, accepted of the Halbert again, and staid from his Command to be an Evidence for the Colonel.

The Reader is pray'd to consider, whether it be probable, that after all the Expence *Cook* was at to procure the said Lieutenancy, and to fit himself out, he would have quitted it for a Halbert, and run the Hazard of being try'd for a Deserter, if he had not felt the Weight of some of the Colonel's Guineas. — Query, How far this ought to invalidate what Testimony he gave in the Colonel's Favour?

John Hare, a Soldier in the said Colonel's Company, was produced by him as an Evidence against *Hurly*; but being strictly examined by the Committee, he then confessed that the Colonel had hired him and Five others to give their Testimonies in his Favour; and told them they need not boggle at saying any thing, provided they could make their Stories but to hang well together, for they were not to be there upon Oath: And the said *Hare* moreover shewed to the said Committee the Gold he had received that very Morning for his Share from the Colonel.

Secondly, That *George Milson* was Listed with the Colonel for Protection, gave back the Forty Shillings Bounty-Money, and never received any Pay; yet was forced to pay for being exempted from Duty. However, all this would not satisfy the Colonel; but the better to squeeze more Money out of *Milson*, he sent him Prisoner to the *Savoy*, where he was detain'd till his Sister *Elizabeth Andrews* made a Bargain with the Colonel himself to pay him Two Guineas, on Condition he would Release her Brother out of the *Savoy*, and protect him still in the Company. But the Colonel, after receiving the said Two Guineas, finding *Milson* was poor, and despairing to get any more Money out of him, Sold him for Ten Pounds to his Creditors, by discharging him privately, without his Consent or Knowledge, out of the Company: Upon which he was taken up by his said Creditors, and sent to the *Gatehouse*; where he still lies in a most Deplorable Starving Condition.

Thirdly, That *James Wilson* a Taylor, Listed for Protection with Col. *Charteris* about the First Day of *May* 1710, gave back the Forty Shillings Bounty-Money, and never received Pay, but always paid for being exempted from Duty. That Ten Days after his being Listed; he gave the Colonel Five Pounds for Protection; and in some Months after, the Colonel threatned to Sell him to a Marching Regiment, by which he forced Five Pounds more from him, which *Wilson's* Wife paid the Colonel: That within a little while after, the Colonel demanded a Drugget Suit of him; but *Wilson* pleaded Poverty, and said he was not able to give the Drugget, but he would give him the making of it. That very soon after,

after, *Wilson* was Arrested, and gave the Colonel Four Guineas more ; but he finding that no more Money could be expected from him, abandon'd him to the Mercy of his Creditors. Then, after the Committee was appointed, he gave *Wilson's* Wife a Guinea and a Broad Piece to stop her Mouth at present ; and promised to pay her the Ten Pounds, and the Four Guineas back again, so soon as the Committee was up.

John Man, *John Forrest*, and Thirteen Witnesses more, were ready to appear against Col. *Charteris* ; but because all they had to say, tended only to prove False Musters, Bribery for Protection, and Short Payments, against him ; These Facts being so fully prov'd by so many Witnesses before, the Committee thought it superfluous to hear any more to the same Purpose.

And as the Colonel threatens and vows Revenge, so soon as the House is up ; 'tis humbly hoped,

1. That to Encourage such-like Discoveries of Frauds and Abuses hereafter, the Honourable House of Commons would please to take what Measures they in their great Wisdoms shall think most effectual to Protect the Prosecutors.

2. That *Hurly*, who according to Contract gave the Colonel a good Man gratis ; and *John Hare*, a Soldier produced by the Colonel to join with others against *Hurly* in the Colonel's Favour, as aforesaid ; be Discharged from the Company, so as not to be subject to be Tried by Martial-Law, as Mutineers, for complaining against their Colonel ; which is what they are threaten'd with, so soon as the House is up.

3. Since *Hurly*, *Milson*, and *Wilson*, have paid for their being exempted from Duty, and the Colonel always received their Pay ; that he be order'd to Repay them the Sums he has received for them from the Queen, and to Refund the Bribes which he likewise severally extorted from them for Protection : And this the rather, because the two latter (whom he Sold and Betray'd to their Creditors, as aforesaid) are now perishing in Gaol.

4. That the Four Hundred Pounds Mortgage be deliver'd to *Hurly*, and the Colonel ordered to give him up his Filty Pound Note, or a General Release of all Demands.

All which is Humbly Submitted to the Consideration of the Honourable House of Commons.

MEMORANDUM, That by the 4. and 5. of *William and Mary*, Chap. 12. Officers making false Musters, or Signing and Allowing the Muster Rolls, wherein such false Musters is contain'd, shall be Cashier'd, and Disabled to hold any Civil or Military Office, or Employment, and to forfeit one Hundred Pounds. [Confirm'd *Septimo Annae.*]

Note, That Colonel *Charteris*, nor content with having defrauded the Queen of the Pay of the Seven and Twenty Fagots, which he constantly muster'd in his Company, did in the Muster of September, 1710. Sign and Allow the Muster Roll of Colonel *Catbears*'s Company, when 'twas apparent, that Persons, who were never list'd in the Service, were hired for that Day for Half a Crown a-piece ; and others who were then in Pay in *Chelsea-Hospital*, and the Ordnance-Office, were allowed by him to muster in the Company for that Day only, to fill up the Rolls. If the very Officers, even in their own Language, will not allow this to be a false Muster, they are pray'd to inform the Publick, what it is they will judge to be so.